

### **REMARKS**

In response to the Office Action mailed on November 13, 2008, Applicant respectfully requests reconsideration based on the following amendments and remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1, 2, 4-11, 15-19 and 21-32 are pending in the application. Claims 1, 2, 4-11, 15-19 and 21-32 have been rejected.

#### **Claim Objections**

The Office Action indicates that claims are objected to because of acronyms VOIP, and IP. The Office Action indicates that these acronyms should correlate with a description. Applicant has amended the claims to provide a description for the acronyms VOIP and IP.

#### **Claim Rejections - 35 U.S.C. § 103**

Claims 1, 2, 4-11, 15-19, 21-26 and 28-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schuster et al. (US 6,650,901) in view of Vasa, Suzy et al. (US 6,324,396). Applicant respectfully traverses the rejection as set forth below.

Independent claim 1 recites “in response to receiving the call, triggering a query associated with the called party and requesting the geographic location of the calling party; receiving information returned on a circuit signaling network in response to the request, and including geographic location information associated with the calling party and recorded by a geographic location-tracking network; and terminating the call and delivering the geographic location information to the called party”.

In rejecting claim 1, the Office Actions concedes that Schuster fails to teach or suggest the above-identified features of claim 1. The Office Action indicates that Vasa teaches the above-identified features in col. 6, line 60-col. 7, line 14.

Vasa in col. 6, line 60-col. 7, line 14 states “Referring now to FIG. 3, there is illustrated a signal flow diagram of the V-PLMN 105b routing a request for service or a

phone call from the MS 135 using an abbreviated number. At initial step 305, for example, the MS 135 moves from the home geographic area of H-PLMN 105a to the geographic area of V-PLMN 105b. As is understood in the art, the MS 135 routinely transmits location update signals at regular time intervals. At step 310, the location update signal is detected by the V-PLMN 105b, triggering an automatic roaming subscriber registration in the V-PLMN 105b in a manner well known in the art. At step 315, the subscriber at MS 135 requests access to the IP 145 by dialing an abbreviated number, as is customary when within the H-PLMN 105a. The abbreviated number is received by the MSC/VLR 120b, which is currently serving the roaming MS 135 in the V-PLMN 105b. The MSC/VLR 120b examines the transmitted request and detects (1) that an abbreviated number has been received, and (2) that the subscriber at MS 135 is a roaming mobile subscriber. Therefore, in order for the MSC/VLR 120b to complete the request to access an IP 145, the MSC/VLR 120b must ascertain the routing instructions corresponding to the abbreviated number dialed by the subscriber.”

Since the MS 135 routinely transmits a location update signal at regular time intervals to be received by the visited public land mobile network (V-PLMN), the Office Action (Page 4) indicates that Vasa teaches providing location updates, and subsequently Vasa teaches the missing features of claim 1. However, Applicant submits that Vasa (combined with Schuster) fails to teach or suggest the above-identified features of claim 1. For example, Vasa (along with Schuster) does not teach or suggest “requesting the geographic location of the calling party...and including geographic location information associated with the calling party and recorded by a geographic location-tracking network”, as recited by claim 1. For example, there is no request for geographic location in Vasa, and second no requested geographic location information is recorded by a geographic location-tracking network in Vasa.

Further, Schuster (col 14, lines 19-23) indicates that “the user may provide the service provider with the location of the telephone. The service provider may then send a telephone location identifier 216, 217 to the data network telephone 208 for storage in the memory 211 [which is the memory 211 of the second data network telephone 208].” So

even if the stored location identifier 216 of the telephone 208 in Schuster is combined with the MS 135 routinely transmitting a location update signal to the visited public land mobile network (V-PLMN) in Vasa, the combined teachings of Schuster and Vasa do not render obvious the above features of claim 1. That is, even taken as a whole for what they would have meant to a skilled artisan, the combination fails to teach or suggest **“requesting the geographic location of the calling party...and including geographic location information associated with the calling party and recorded by a geographic location-tracking network”**, as recited in claim 1.

For at least the foregoing reasons, claim 1 is patentable over the combined teachings of Schuster and Vasa. Claims 1, 2, 4-11, 15, and 16 variously depend from claim 1 and are patentable for reasons advanced for claim 1.

Further, in rejecting dependent claim 4, the Office Action indicates that Schuster teaches “wherein if the call is from a mobile device, the method further comprises the step of recording the geographic location information after the call originates and before the call is received at the network element associated with the calling party. (Col. 11; 3-7)”. Schuster (col. 11, lines 3-7) states “The telephony connection server 150a provides telephony service for mobile users. A user may be registered to use the first network telephone 208a (which is identified by its telephone identifier), but move to a location near the second data network telephone 208b.”

First, the cited portion of Schuster does not refer to a “mobile device” but instead relates to telephones 208a and 208b which are Ethernet phones connected to an Ethernet port (col. 11, lines 12-14), and a user may move from telephone 208a at one location to telephone 208b at a second location. However, telephones 208a and 208b are not “mobile devices” themselves which move from one location to a second location.

Second, the Office Action and Schuster fail to account for “if the call is from a mobile device...recording the geographic location information after the call originates and before the call is received at the network element”, as recited in claim 4. The cited portions of Schuster discuss that a user (who left a first telephone 208a) may re-register

as the user of the second data network telephone 208b, so that calls can reach the user at the second telephone 208b. However, Schuster fails to teach or suggest the above-identified features of claim 4.

Vasa, which discloses providing a calling party number for a roaming caller in a visited public land mobile network to a called party, does not compensate for the deficiencies of Schuster. Even combined for what they would have meant to a skilled artisan, the combined teachings of Schuster and Vasa fail to teach or suggest the features of claim 4. For at least the foregoing reasons, claim 4 is patentable over the combined teachings of Schuster and Vasa.

Additionally, in rejecting dependent claim 10, the Office Action indicates that Schuster (col. 9, lines 7-26; col. 14, lines 25-34) teaches the features of claim 10. Schuster (col. 9, lines 20-26) states “The location information may...be displayed on the display of the second voice communication device 108b, on a monitor...or as a text message that may be forwarded to other data communications devices (e.g. as email, text message page, etc.).” Also, Schuster (col. 14, lines 25-34) states “The user preferably uses the postal address of the location of the telephone as the data for the location information. However, the information used may be enhanced by using floor information, room information, etc. In addition, other forms of identifying a location may also be used, such as, longitude/latitude coordinates, directions, building function, names of residents or company, etc. The user may also enter the postal address and the service provider may send back the location for storage in any suitable alternative form. [emphasis added]”.

Applicant submits that Schuster (including the cited portion) fails to teach or suggest “the displayable form is selected from...**a landmark, and a building name**”, as recited in claim 10. Vasa is silent with respect to the above-identified features of claim 10. For at least the foregoing reasons, claim 10 is patentable over the combined teachings of Schuster of Vasa.

Independent claim 17 recites “wherein the control server, in response to a query received from and launched by a trigger at the network element associated with the called

party, searches the address database for geographic location information corresponding to the IP address of the calling party, and returns the geographic location information on a circuit signaling network to the called party's network element". The combined teachings of Schuster and Vasa fail to teach or suggest the above-identified features of claim 17. For at least the foregoing reasons, claim 17 is patentable over the combined references. Claims 18, 19, 21-26, and 28-32 variously depend from claim 17 and are patentable for the reasons advanced for claim 17.

Dependent claim 27 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schuster and Vasa further in view of Rayburn (US 6937869). Applicant respectfully traverses the rejection as set forth below. Claim 27 depends from claim 17, and the combined teachings of Schuster and Vasa fail disclose the features of claim 17. Rayburn, applied for its teaching regarding a Wireless Application Protocol (WAP) location system, does not compensate for the deficiencies of Schuster and Vasa. Thus, claim 27 is patentable by virtue of its dependency from claim 17.

**Conclusion**

It is believed that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims herein should be allowable to the Applicants. In the event the Examiner has any queries regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

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